

Law Enforcement News

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Stacking the odds in Vegas

Police raise eyebrows by probing hotel guests

While nothing new, a Las Vegas Metro Police Department program that searches for fugitives by routinely conducting background checks on long-term guests at the area's hotels and motels recently raised the ire of the American Civil Liberties Union, and troubling questions for some law enforcement observers.

The Identify, Detect, Locate program (IDL) was approved in 1990 as another tool for police to use in checking for outstanding warrants at accommodations rented to patrons on a weekly or monthly basis. When customers check in, they are informed that their names will be given to the department so police can run a data base search.

Once a week, an officer in each of the department's five substations picks up the paperwork from the motels and runs the checks on a mobile computer terminal. The program is entirely voluntary on the part of both the motel owner and the customer, said Steve Merriwether, a police spokesman.

"Then of course it's up to the owners whether they will rent an apartment or not," Merriwether told Law Enforcement News. "It's not up to us."

The program was created when it became clear that extended-stay motels were a haven for fugitives, he said. The problem was so severe that police and the local business community came up with a legal way to check backgrounds with customers' knowledge. None of the information gathered is released to the motel owners, said Merriwether.

While the department does not have statistics on how many fugitives it has caught this way over

the years, Merriwether said the program has been a success.

Just this March, however, the IDL program caught the attention of local media after Louis DeSilvio, a regional sales manager for an Oklahoma telephone company, refused to have his identification forwarded to police after trying to check into a long-term motel. DeSilvio was first

Criminals may check in, but local police will be checking them out.

told that it was a state law, then a county law and then a police policy adhered to by the motel, according to Gary Peck, executive director of the Las Vegas chapter of the ACLU.

The policy came not only as a surprise to Peck, but to Clark County District Attorney Stewart Bell, who said he had never been told about the program during his four years in office. Bell believes that since the program had never before led to a criminal case, it was not considered an issue, he told LEN.

Bell said he has met with the ACLU and with Undersheriff Richard Winget to try and come to some agreement about how the program will be

implemented from this point on. One of the initial modifications will be large posters informing patrons that their identification will be photocopied and sent to police. Whatever the practice had been in the past, the posters would constitute fair warning, he said.

"Keep this in mind, it is not the Police Department telling the motel people they want to check these folks out — it's the other way around," Bell insisted. "It's the motel people saying we don't want to have had elements staying in our places, posing a threat to our employees and other people who stay there." As private businesses, motels can reject those who refuse to offer their identification for background checks, he said.

The Nevada Hotel and Motel Association has taken no position on policy, according to an association spokesman.

What bothers one law enforcement expert about the policy, however, is the use of publicly-funded data bases to aid private businesses. Gary W. Sykes, the director of the Southwestern Law Enforcement Institute, said that if the department is running checks for outstanding warrants through the National Crime Information Center, it raises the question of whether that is an appropriate use for the data base — a concern also raised by the ACLU.

"I think there are serious ethical issues involved in using public resources to serve private interests," Sykes told LEN. "When you look at the time involved and resources — aside from

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Whether real or just perceived, racial profiling gets the attention of police

Confronted by an issue which many in law enforcement maintain does not exist except in the public's perception, the nation's police departments have nonetheless begun seeking ways to address racial profiling and perhaps avoid the same serious problems that now plague the New Jersey State Police.

While members of minority groups and others have long insisted that they are targets for aggressive police who suffer no penalties from making uncon-

stitutional searches — and may even win promotions and other rewards if contraband is discovered during such a search — law enforcement has just as steadfastly denied such assertions. Racial profiling became law enforcement's problem to solve, however, after state and Federal investigations uncovered numerous examples of wrongdoing on the part of New Jersey State Police troopers.

In March, the State Police Superin-

tendent, Col. Carl A. Williams, was fired by Gov. Christine Todd Whitman for making remarks in which he linked certain ethnic groups to particular types of crimes. Since then, a New Jersey court has refused to give state officials more time to decide whether they will pursue an appeal of a 1996 ruling by a Gloucester County judge that found troopers had practiced racial profiling along a stretch of the New Jersey Turnpike between 1988 and 1996.

New Jersey Attorney General Peter Verniero, whose nomination to the state Supreme Court by Whitman has become mired in questions about his handling of the profiling issue, was given until April 21 to file final papers and argue the state's case on April 28.

Moreover, the U.S. Justice Department acknowledged that it had been conducting a civil rights investigation into allegations of racial profiling by the NJSP, and that the probe had lagged because police were slow to forward requested information to Washington. Documents trickled in slowly to investigators during the 14- or 15-month period of the investigation, Deputy Attorney General Eric Holder Jr. said during a closed-door meeting attended by members of Congress, ministers and state legislators.

In an effort to avert Federal scrutiny and the possibility of mandated changes, one of the ways in which some jurisdictions are handling the highly-sensitive issue is by developing policies that would allow police to record the race and ethnicity of drivers who are pulled over without the risk of a traffic stop escalating to a level dangerous to both officer and motorist. Such an approach, however, is proving to be just as touchy a subject as the problem it is designed to address.

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While waiting for reinforcements, DC police force struggles to get by

Through a more efficacious deployment of officers and numerous revisions of administrative systems, the District of Columbia's Metropolitan Police Department is struggling to make the best use of its current resources while it tries to fill a gaping manpower shortage of some 200 positions.

According to Executive Assistant Chief Terrance Gainer, the department has been both authorized and budgeted by Mayor Anthony A. Williams for fiscal year 2000 to build the force up to a strength of 3,800 officers. In the past, the budget has only allowed for 3,600 officers, although the additional 200

had been authorized.

Gainer, however, is quick to stress that he does not believe staffing alone can automatically reduce crime. "Whether 3,800 is a magic number, or 3,650, I think there is genuine room for debate on that," he told Law Enforcement News.

The question of whether or not the department has enough officers was brought into sharp focus in March after 13 people were killed during a one-week period — 12 of those within a four-day stretch. Gainer said the department has established a "war room" to concentrate on what links the murders

might have had to drugs, gangs or other criminal activities. Traditional analysis, however, has not yet uncovered any trends.

Last month, the department kicked off its Rolling Thunder program in response to the homicides. An additional 100 officers will be sent to patrol hot spots around the District. Each of the city's four police districts have already received authorization for 15 officers per day to work overtime in those areas, Gainer said.

The department has also enlisted the help of Federal law enforcement. The Bureau of Alcohol, Tobacco and Fire-

arms has dispatched some of its personnel to lend their expertise in trying to match up firearms with expended bullets and cartridge cases in the recent murders, said Gainer. Two task forces have been initiated, as well.

One unit teams the FBI's Washington and Baltimore field offices, along with the Maryland State Police, law enforcement agencies in Prince George's County and the Metro PD to attack violent crimes in a corridor along either side of the D.C.-Maryland border. The other task force brings together the D.C. police force, the DEA and police in

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Around the Nation

Northeast

CONNECTICUT — New Milford Police Officer Scott Smith has been charged with murder for fatally shooting Franklyn Reid, 27, on Dec. 29. Police say Reid carried a 3-inch pocket knife and refused to show his hands during an arrest. Prosecutors contend that Reid was unarmed when he was shot in the back at close range.

The chairman of the West Haven Police Commission, Thomas E. Gallagher, 56, was charged with drunken driving in a March 20 incident.

DISTRICT OF COLUMBIA — In an effort to control homicides, Police Chief Charles Ramsey will allow overtime for up to 100 officers per day. The officers will work during their days off to control murders, which totaled 65 between Jan. 1 and March 25, compared to 48 during the same period last year.

MAINE — Cumberland County will be home to a new violent crimes task force similar to those already in place in Bangor and Lewiston. The task force will include members from federal, state, county and municipal agencies.

MARYLAND — A U.S. Justice Department grant of \$224,000 will help Maryland's first community court divert minor-crime cases from Baltimore Circuit Court. The new community court is expected to open next January.

MASSACHUSETTS — Counterfeiters are getting younger, according to the Secret Service. The agency's Greater Boston district reported that eight of 18 counterfeit operations discovered in 1998 were run by juveniles using home computers and ink-jet printers.

NEW JERSEY — For the second time, a Federal appeals court based in Philadelphia has upheld the state's Megan's Law, saying it did not violate sex offenders' rights to privacy by publishing personal information regarding their whereabouts. The March 16 decision by a three-judge panel of the Third Circuit appellate court authorized hearings in Federal District Court to examine whether notifications were conducted properly in six cases.

A man charged with killing Teaneck Police Officer Robert L. Fisher in 1996 was convicted March 25 of a second murder. Kevin A. Richards, 22, was found guilty of killing a Paramus gas station attendant during a 1996 holdup. Prosecutors say they will seek the death penalty in the officer's murder.

Archie, Comet and Red, the three equine members of Middlesex County's mounted police force, made their last patrols last month. The mounted force was disbanded as part of the county's attempts to save \$1.6 million by eliminating the county Police Department, which patrols 18 local parks. County police officers will be replaced by unarmed park rangers when the department is dissolved in September.

Bias crimes against Jews rose 16 percent in New Jersey last year, according to the state chapter of the Anti-Defamation League. The number of such

incidents reportedly rose from 197 in 1997 to 229 in 1998.

A trooper who alleged he was coached to stop black and Latino motorists on the New Jersey State Turnpike said a shot was fired into his bedroom window on March 25. Vandals also allegedly smashed his mailbox and left broken glass in his yard. Trooper Emblez Longoria fears he has been targeted for retaliation by fellow troopers.

NEW YORK — New York City Police Commissioner Howard Safir will be the focus of an ethics investigation into Safir's trip to the March 21 Academy Awards ceremony in Los Angeles as the guest of a Revlon company executive. Safir came under public scrutiny after a New York television station ran video footage of him at the Oscars. The Commissioner took the trip amid growing criticism of the Police Department over the Feb. 4 shooting of a street peddler, Amadou Diallo, in the Bronx by members of a police tactical unit.

New York City has paid \$28.3 million to settle police-misconduct suits during the last fiscal year, an amount that has climbed steadily in the last decade. The number of such suits rose from 1,335 in 1988 to 2,105 last year. Officials attribute the rise to a larger, more aggressive police force.

In a plea bargain reached March 22, John Cuff, a former New York City Housing Police officer, avoided the death penalty for killing 10 people as a member of a drug gang in the Bronx. Cuff, who pleaded guilty in exchange for a sentence of life imprisonment, was recruited into the gang during his work as a police officer in the 1980s, and acted as a bodyguard for its leader.

About 23,000 applicants will take the Suffolk County police exam this year, from which authorities say as many as 800 county officers would be hired — the biggest number from any exam since the 1970s. Prospective officers said they were attracted by a starting salary of \$50,000 for a person with just a high-school diploma.

Ciarri Franklin, 27, of Perth Amboy, N.J., was indicted March 18 in the early-morning car crash that killed a police officer on Staten Island in February. Franklin was charged with criminally negligent homicide in the death of Officer Matthew Dziergowski.

Crime in Nassau County dropped by 18 percent last year, reaching a 25-year low, but officials say they are not sure exactly why. Police cited such reasons as the county's aging population and prevention programs targeting youth.

PENNSYLVANIA — Allegheny County SWAT officers broke up a drug ring and nabbed a stash of heroin and crack cocaine on March 19 during a raid in which they first smashed a sewer pipe in the basement of a Spring Hill apartment building. The drugs, which a dealer had flushed down the toilet in a suspected drug den upstairs, fell right into the police officers' hands.

Two men were arrested March 20 for hauling as much as \$50 million worth of cocaine in a flatbed truck. William Ener, 59, and Clyde Smith, 55, were arrested in Lehigh County after state troopers pulled the truck over for

failing to signal a lane change.

Five superior officers in the Washington Township Police Department have voted "no-confidence" in Chief Wilbert Sowney. The two captains and three lieutenants said in a memorandum dated March 11 that mistrust and unnecessary stress had created a climate of low morale in the department.

RHODE ISLAND — A proposal to create the state's first drug court has drawn the opposition of the Urban League of Rhode Island. Under the proposal, the court would divert offenders to treatment programs instead of prison.

A bill introduced by State Treasurer Paul Tavares on March 18 would eliminate awards for pain and suffering from the state's Crime Victim Compensation Fund. Tavares said calculation of such awards has been lengthy and difficult.

Southeast

ARKANSAS — Methamphetamine makers in the state are one step closer to being put in prison for life if convicted. A bill to that effect cleared a state House committee March 20 and will be considered next by the full House.

Students at a Pine Bluff junior high school last month donned goggles that help to simulate a 0.17 blood-alcohol level as part of Operation Fatal Vision. The students then drove through an obstacle course in a modified golf cart as part of the Arkansas State Police program aimed at showing young people the danger of driving while intoxicated.

Officers at the Little Rock Police Department last month mourned the loss of their 8-year-old Czechoslovakian shepherd, Nero. The department's only drug-sniffing dog, who was a three-time state champion of the National Narcotics Detector Dog Association, died March 13 after a brief illness.

FLORIDA — An Aventura man was reportedly the first to be indicted last month under a Federal crackdown on pimps moving underage prostitutes around the country. George Lamont Hardin Jr., 30, was charged March 18 under a rarely used interstate commerce law for transporting a 15-year-old girl from Portland, Ore. Juvenile prostitutes can take in up to a reported \$1,000 per night on the streets of Miami and Miami Beach, with all the money going to their pimps.

Miami-Dade County police cruisers will be outfitted with portable defibrillators to save the lives of heart-attack victims, as part of a \$5-million project financed by the Public Health Trust. At least 550 of the units have already been delivered to the Doral area in a pilot program, and 2,500 more are expected in July.

A police officer has been cleared of wrongdoing in the shooting death last July 15 of Carl Williams, a man who only months earlier had been honored for saving the life of a policeman. Miami-Dade Officer Mark Anthony Bullard told a county court judge that

Williams raised a 9mm. handgun at him despite two warnings to drop the weapon. Williams had apparently been searching his yard for a possum when police responded to gunfire in the area.

Four near-abductions were said to have taken place in the Miami-Dade public school system in early March, but school officials did not share information about the crimes with local police. The Miami-Dade Police Department only learned of the incidents when Deputy Superintendent Henry Fraind sent a memo to 300 principals warning them of the incidents. The crimes included the March 10 rape of a 13-year-old girl taking public transportation home from school.

GEORGIA — School administrators in Cobb County are looking to arm campus police officers with handguns and merge them with the Sheriff's Department. The move comes in the wake of a shooting near a high school that officials said was just outside the jurisdiction of school police. Some 29 officers are currently assigned to Cobb middle and high schools. A decision was expected in the matter late this month.

A rash of 24 attacks on women in North Atlanta suburbs in the last six months may have been the work of just one man, officials said. Five women were raped, at least five others suffered some form of sexual assault and all were robbed. In the most recent attack, a woman was shot after a man knocked on her car door to tell her that her lights were on.

A 5-year-old Cobb County girl was abducted, molested and left to die in woods south of Marietta. The girl was found wandering a dirt road on March 19, and told authorities that a man lured her into a green sport-utility vehicle while she was bicycling after school.

A shootout on Atlanta streets on March 31 ended with the death of Officer Russell Stalnaker, 24, a three-year APD veteran. A suspect, Kimani Atu Archie, 24, was arrested in the incident. Police said Archie was stopped while he pushed a pickup truck down the middle of a street, and then began shooting after an argument with officers. Archie was captured after fleeing down the aisle of a church during Holy Week worship services.

MISSISSIPPI — Roadway fatalities climbed to 948 last year, a number just four shy of the 1971 record for the state. Officials said raising public safety awareness would reduce dangerous driving.

NORTH CAROLINA — A gun belonging to Catawba County Deputy Sheriff Bob Benfield, a school resource officer at Bunker Hill High School, was found in a teacher's lounge there last month. Benfield said he forgot the weapon after being paged. Officials are investigating the incident.

TENNESSEE — The Memphis Police Association has received an offer of help from former U.S. Representative Harold Ford Sr. in its contract negotiations with the city. The union, which is seeking to bring police salaries to a level comparable to that of Shelby County sheriff's deputies, recently launched a \$50,000 ad campaign to increase pub-

lic support for its cause. The police union said it would welcome any public appearances from Ford, who some see as a potential challenger to Mayor Willie Herenton in this fall's election.

The Collierville Police Department was shaken by the termination of its assistant police chief and one captain last month, both at the request of Police Chief Larry Goodwin. Asst. Chief David Boling and Capt. Tommy Dunn were fired for misconduct detrimental to morale in the department. Another captain, Terry Cochran, was demoted to lieutenant.

Midwest

ILLINOIS — The youngest boy ever to be considered for a murder trial in the state was ruled fit for trial on March 19. A Cook County Juvenile Court judge said the unidentified 10-year-old understood the basic concepts of the courtroom. The boy and his older brother allegedly beat their 5-year-old foster brother to death last year.

The Chicago Police Department has fired a recruit who joined the force last year after resigning from the Cook County Sheriff's office in 1997 while under investigation for insubordination and for working a second job while on medical leave. Officials complained about the slowness of an internal investigation that should have prevented the recruit, Robert Sims, from being admitted to the Police Academy for training.

Legislators looking to get tough on crime have added about 700 pages to the state criminal code in the past 25 years, and officials are now looking to revamp the code to make it simpler. Under a bill currently advancing through the House, a three-year commission would evaluate the current crime laws and identify ways to streamline the code.

A bulletproof vest saved the life of Austin District Sgt. Richard Schak, 49, after a gunman shot at him on March 25. Schak had stopped a suspected drug dealer when the man drew a .32-cal. pistol and shot at him, hitting him just below his badge. The officer fired one shot at the fleeing gunman, who was still at large a day after the shooting.

KENTUCKY — Police officers in several cities around the state, including Louisville and Lexington, are balking at a law that took effect last July, which requires them to auction guns they seize from criminals. Officials say they would rather destroy the weapons than have them end up back on the streets.

A man suspected of driving while drunk crashed into a tree and died after a 35-mile chase with Jeffersontown police on March 21. Richard W. Brown, 36, had been jailed five times over the last 10 years for driving under the influence. On several occasions, he fought with police who pulled him over. Brown, a warehouse worker for the Kentucky Department of Education, led two police cars on the high-speed chase after officers spotted his erratic driving. Said Jeffersontown Police Chief Fred Roemele: "We don't know why he ran, but since he pitched a package

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out the window during the chase, we think he probably didn't want to get caught with drugs."

OHIO — A Cincinnati policewoman who assaulted her supervisor was sentenced to four years' probation on March 19. Deborah Gragston, 39, was off-duty when she was pulled over by officers last November for failing to control her vehicle. She was brought to the North College Hill police station and officers called in her supervisor, whom she struck and kicked. Gragston was also sentenced to 200 hours of community service and a counseling program.

Cincinnati police on March 19 fired 10 shots at a man wanted on domestic violence charges, fatally wounding him. The shooting of Michael Carpenter, 30, took place following a traffic stop. The officers allegedly shot Carpenter after he struggled with them. Carpenter, who carried a knife in his car, had been twice convicted of assaulting police officers. The shooting was reported to be the fourth fatal shooting by Cincinnati police in about a year.

WISCONSIN — Citizens in La Crosse will find out what it feels like to carry a badge starting May 4, when a citizens police academy offering weekly classes gets underway. Police officials are also hopeful that the program, which will run through June, will attract volunteers to the department.



Plains States

IOWA — To counter what lawmakers say is a methamphetamine epidemic in the state, the Senate on March 25 approved a measure calling for 99-year prison terms for those who sell the drug to young people.

Chronic drunken drivers represented more than 20 percent of those paroled from Iowa's correctional system last year. A total of 529 drunken drivers were released after a third offense. Those habitual drunken drivers served, on average, one year of a five-year term.

MINNESOTA — The director of a regional drug task force has admitted to stealing \$50,000 from the unit. The continuing investigation revealed that under the tenure of Kandiyohi County Deputy Sheriff Joseph Poll, 36, more than \$88,000 may have been stolen. Poll, who has led the task force since 1992, is charged with six counts of felony theft, and faces up to 10 years in prison.

MISSOURI — Two people were dead after a five-hour standoff with police in Kansas City last month. Police shot Alfredo Beltran, 35, after he charged at them with a knife and a martial arts weapon when they responded to a domestic dispute. Rosa Jurado, 26, was also killed in the incident.

MONTANA — Heroin use has hit the streets of Missoula with increasing vigor, according to law enforcement officials there. Once rare, heroin-related medical emergencies have been reported every other week over the past

18 months.

Leroy Schweitzer, the 61-year-old leader of the Montana Freeman, was sentenced March 16 to 22 years in prison and will pay \$39,687 in restitution for crimes including bank fraud, mail fraud, and wire fraud. Prosecutors said Schweitzer presided over a massive check-forgery scheme. Four of Schweitzer's followers were also sentenced.

NEBRASKA — Police are urging the public to report the smell of ether in their neighborhoods. With six methamphetamine labs found in Nebraska so far this year, officials said reporting the telltale smell is one way to help stop manufacture of the illegal drug.

NORTH DAKOTA — A bill passed by the Legislature last month and sent on to Gov. Edward T. Schafer would prevent convicted criminals from using the Internet while on probation. Although aimed primarily at sex offenders, the measure could apply to the sentencing in any crime.



Southwest

COLORADO — A road-rage hot line set up by the State Patrol last July has received more than 20,000 calls from citizens reporting bad road behavior, including over 2,000 in February alone, prompting the police agency to seek \$167,000 to fund five full-time staff for the program.

A controversial bill that would have allowed concealed weapons in schools has been modified to give school principals the final say-so as to who may carry concealed weapons in school buildings. The bill, which was sent to the full Senate last month, would also allow concealed weapons at sporting events and in parks.

Former Denver police officer Daniel E. Pollack Sr., 35, was sentenced March 12 to the maximum of 12 years in prison for stopping women and demanding sex. The sentence in the case, which never went to trial, stemmed from a plea bargain in which prosecutors agreed not to seek more than 12 years in exchange for Pollack's guilty plea to one count each of attempted kidnapping and second-degree sexual assault. Pollack resigned soon after the allegations were made early last year.

NEW MEXICO — The Bernalillo County Commission deadlocked last month on how to fund a \$12-million crime lab in a joint venture with the city of Albuquerque. Police Chief Jerry Galvin indicated that if the county did not contribute \$3.1 million, the city could resort to using funds from voter-approved bond issues.

TEXAS — Dallas police said they did not expect to file charges in connection with a 42-year-old woman's allegation that she was sexually assaulted by two Saudi Arabian police officers who were in North Texas for a training program. The program, which includes 14 Saudi police captains and lieutenants, was briefly suspended while authorities in-

vestigated the March 5 incident.

A Lubbock man died March 17 while apparently building a pipe bomb intended for an abortion clinic. Robert Keith Hill, 24, accidentally detonated the device in his lap. Police said he intended to bomb the clinic to keep an acquaintance from having an abortion. A second bomb was found at his home.

Arlington Sgt. Rick Wade, 39, was placed on paid administrative leave after being arrested for driving under the influence on March 14. Wade, a 14-year police veteran, was released from jail after posting a \$750 bond.

UTAH — Six days after trial began, the family of a Salt Lake City SWAT team member who was shot to death agreed to settle a suit against the manufacturer of the body armor the officer was wearing at the time. The family of Lieut. Fred House, who was killed 11 years ago, settled the suit against Los Angeles-based Armour of America Inc. for an undisclosed amount.



Far West

ALASKA — The Fairbanks City Council has approved a policy calling for public safety employees and heavy equipment operators to be randomly tested for drugs and alcohol at least every two years. An earlier proposal had called for yearly random testing of all 170 city employees.

CALIFORNIA — A man who allegedly chewed his fingers to avoid being fingerprinted was found to have five outstanding warrants, police said. Juan Raul Benavidez, 25, was arrested on a domestic abuse warrant, and gave different names while being booked. Police managed to obtain a useful set of fingerprints and found Benavidez to use nine different aliases.

A Los Angeles police officer was convicted March 17 of staging a takeover robbery of a bank last November. Prosecutors argued that David Anthony Lorenzo Mack, 37, entered a Bank of America branch with a semiautomatic assault weapon and fled with \$722,000 in cash. Mack, who will be sentenced June 28, faces a maximum penalty of 40 years in prison.

Kevin Mitnick, the 35-year-old computer hacker who has been in custody since 1995, was expected to accept a plea bargain late last month to Federal charges that he copied software from cellular phone manufacturers. Under the expected plea, Mitnick would likely receive at least one more year in prison and would agree to stay away from computers for three years after his release. He still faces other charges in California.

Three illegal immigrants were killed March 27 along with the Border Patrol agent who was taking them into custody. The incident occurred in the foggy early-morning hours when agent Stephen M. Sullivan, 27, rolled his Ford Bronco 1,200 down a steep embankment near the Mexican border.

HAWAII — Minors will no longer be

able to legally possess laser pointers. Under a measure passed by the Honolulu City Council on March 22, it will be illegal to sell the laser devices to anyone under 18.

NEVADA — The anthrax scare last year in southern Nevada has resulted in a law making it a felony to possess or threaten to use anthrax or other biological agents. A false threat to use such biological weapons would carry a term of up to six years, and those using such weapons could receive life in prison.

A bill currently before the state Legislature would make a pilot program of chemical castration available to men on parole for sex crimes.

OREGON — An increase in drug use by parents has been blamed for a 4-percent increase in the state's confirmed child abuse victims. The number rose to 10,147 last year, with nearly half the victims age 5 or younger.

A law expected to be signed by Gov. John A. Kitzhaber would allow the state to collect DNA samples for people convicted of burglary and serious assault. The DNA data base currently holds information only on sex offenders. The pending legislation provides no exemption for juvenile offenders.

WASHINGTON — Law enforcement officials in the Northwest have asked the Federal Government to declare eight western Washington counties a major drug-trafficking zone. The designation would allow investigators to use Federal data bases and investigative teams, and would provide Federal money for equipment and overtime pay.

Justice has been served.



THE VERDICT IS IN:
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U.S. News
A WORLD REPORT

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CRIMINAL JUSTICE POLICY

1. John Jay College (CUNY)
2. Harvard University (MA)
3. SUNY Albany
4. Princeton University (NJ)
5. George Mason University (PA)

1998
ANNUAL GUIDE
AMERICA'S
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"This institution has become a world renowned center for teaching and scholarship in the field of criminal justice. It is here young people come to prepare for careers in law enforcement, careers promoting public safety in our communities..."

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Carolina original

In 1969, Richard Holden was one of the six original African Americans to enter the Basic Patrol School of the North Carolina State Highway Patrol. This past February, Holden, now a lieutenant colonel, became the agency's first black Commander.

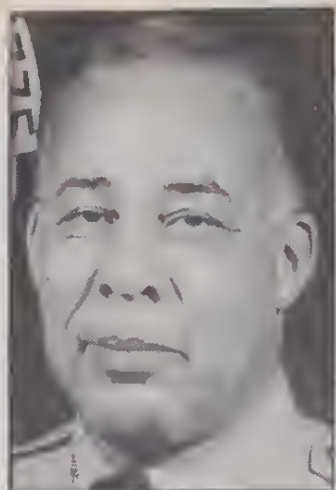
Until his appointment by Gov. Jim Hunt, the 51-year-old Holden was director of support operations for the NCHP. A native of Wendell, N.C., Holden began his patrol career in Fayetteville after graduating from North Carolina's A&T State University. Promoted to sergeant in 1978, he was transferred to the Raleigh Training Center in 1984 after becoming a first sergeant. He went on to be promoted to lieutenant in 1987 and to captain three years later. As Troop B Commander based in Fayetteville, Holden supervised operations for 11 counties.

As a major, he headed the agency's Internal Affairs Division from 1993 to 1997 at patrol headquarters in Raleigh.

Governor Hunt, who personally interviewed finalists for the commander's job, called Holden a "strong leader with integrity and a dedication to building the best Highway Patrol." Holden, he said, has devoted himself to the mission of protecting the safety of all the state's citizens.

"I have very high expectations for this job and for leadership positions in this administration, and I know that Lieutenant Colonel Holden will meet those standards," the Governor noted.

Holden told The Associated Press that he does not envision any large-scale



Lieut. Col. Richard Holden
Straight to the top

changes. One of his goals, he said, is to ensure the 1,300-member force and their cruisers are equipped with state-of-the-art technology.

A people person

Pierce Murphy, a human resources executive and former reserve police officer was chosen by the Boise City Council in March to be the city's new police ombudsman, a position created in the aftermath of a spate of police-involved shootings that killed nine people less than three years ago.

The hiring of an ombudsman was just one of list of recommendations made by Mayor Brent Coles in 1997 to increase police oversight. Other proposals included a one-year pilot program using video cameras in 10 of the department's vehicles; a twice-yearly citizen's police academy; the use of audio tape recorders by police; a multi-jurisdictional task force that would serve as an outside agency for investigating officer-involved shootings; drug and alcohol testing for any officer involved in a shooting, major incident or traffic accident; a semiannual review by the City Council of all litigation and grievances filed in the department and any use-of-force issue, and the attendance by all newly hired officers at a 10-week Idaho POST Academy course.

In choosing Murphy for the ombudsman position, the City Council's selection committee named a former seminarian who holds a master's degree in counseling and a bachelor's degree in marketing. Since 1994, Murphy has been the human resource development manager for Boise Cascade Corporation's paper division.

Murphy's extensive experience as a consultant and human resources manager, coupled with his training in counseling and philosophy, will "bring a depth to the position that will benefit the entire community," said the Council's recommendation. The fact that he spent four years as a court liaison officer for the Menlo Park, Calif., Police Department during the 1970s helped burnish his qualifications.

As ombudsman — a \$65,000-a-year post — Murphy will receive, screen and prioritize citizen complaints and internal affairs investigations involving Boise police officers, providing case management. He will also work with the department and the City Attorney to implement an early warning system and maintain statistical reports of com-

Bottom's up, Sarge!

Running a marathon in Antarctica — for charity

To the names of great Antarctic explorers such as Ernest Shackleton and Capt. Robert Scott can now be added **Fred Lipsky**, a Suffolk County, N.Y., police sergeant who made the arduous trip to the bottom of the world in February. In Lipsky's case, however, it was to participate in a 26.2-mile race.

Run on a terrain of mud, rock and crystallized ice on King George Island off the tip of the Antarctic Peninsula, the Last Marathon, as it's called, was started in 1995 and is held every two years. The 41-year-old Lipsky, who joined 153 other men and women for the Feb. 13 race, competed as a member of Fred's Team, a fund-raising group affiliated with Memorial Sloan-Kettering Cancer Center in Manhattan. The group, whose members run marathons all over the world, is named after the New York City Marathon co-founder Fred Lebow, who died of brain cancer in 1994.

Lipsky, a 14-year SCPD veteran, had to raise at least \$12,000 to make the trip — no simple task when most of the donations were coming from fellow officers, he said. "For some people that was easy — they'd just

hit up their friends for a couple of thousand each," said Lipsky. "But I'm dealing with cops. My average donation was \$26."

Personally hand-sorting and mailing about 3,500 letters, Lipsky managed to raise nearly \$20,000 in contributions from the Suffolk County department and neighboring agencies. This year's funds will go to pediatric cancer research.

The 15-day trip took Lipsky first to Buenos Aires and then on to Ushuaia in Tierra del Fuego, the southernmost tip of South America. The part of the journey that gave him pause, he said, was making the crossing past Cape Horn and into the Drake Passage to Antarctica. The crossing, made aboard a converted Russian research ship, proved to be more of a luxury cruise than the "devil's dance floor," as the Drake Passage was termed in an early description reprinted in the ship's newsletter.

Lipsky was aboard the 368-foot Akademik Ioffe, one of two vessels that took the runners to King George Island. There were lectures on the geology of the continent and on polar exploration; sumptuous meals, and plenty of time to read "The Endurance," a current best-selling book on Shackleton's near-tragic expedition. And there was much to see, including

crab-eating seals, Magellanic penguins and South American terns, not to mention the icebergs that towered above the ship. During a stopover on Paulet Island made in one of the ship's small inflatable dinghies, Lipsky had his shoelaces nibbled by penguins.

On the day of the race, the weather conditions were near perfect — at least for marathoners in the Antarctic — with clear skies and temperatures in the low 30s. Within the first half-mile, the runners began a one-mile ascent up the glacier that dominates the route. "They said one mile, but it felt like a thousand," Lipsky told the Long Island newspaper Newsday. "It looked like a giant white bowl, upside down."

Lipsky dressed as though for a typical winter training run in the Northeast, in hat, gloves, Gore-Tex suit and running shoes; but soon after the start, he thoroughly soaked one foot after it went into a nine-inch crack in the thawed snow and ice. Still, he kept going, noting, "It's a race, right?"

The sergeant, who sports a personal-best marathon time of 3 hours 9 minutes, finished the Last Marathon in 4 hours, 34 minutes and 21 seconds — still good for 10th place overall.

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plaints and their outcomes.

The ombudsman also assists in developing and coordinating training on community diversity and community policing.

Murphy will be the liaison between the department and the community, utilizing city subpoena powers when necessary. In working with the City Attorney and risk manager, Murphy will monitor litigation and analyze cases, providing his findings and recommendations to Mayor Coles, the City Council and Police Chief **Larry A. Paulson**.

The position did come about as a result of some officer-involved shootings, acknowledged Lieut. **Jim Tibbs**. "How that person [the ombudsman] is going to interact with police officers still remains to be seen. Probably most of the Police Department do not feel that it's necessary, but the fact that this is a recommendation from the Mayor, it's not our place to say."

Chief Paulson, Tibbs told Law Enforcement News, has made it clear to the department that every member of the force will do everything possible to make the new program a success.

Doing it his way

The mood is not good in Oakland, Calif., according to some community activists who are furious about last month's "resignation" of the city's first black police chief, the popular **Joseph Samuels Jr.**

Samuels' departure was announced by newly-elected Mayor **Jerry Brown** on March 25. The Chief's ouster, along

with those of two other city officials, has led to angry recriminations against Brown, a two-term former Governor of California and three-time presidential candidate who many Oakland residents believe is moving too quickly in an effort to turn the city around.

In a letter to Samuels and 10 other officials in February, City Manager **Robert Bobb** wrote: "Let me be brutally clear. The status quo, low expectations and a lack of total commitment to the success of this government is not acceptable." The officials were ordered to Bobb's office to reapply for their jobs.

The letter's tone angered residents who fought hard for the appointment of Samuels, who rose through the ranks of the Oakland Police Department to become Chief six years ago. "Mr. Bobb is rude and mean-spirited in his approach," said **Leo Bazile**, who spent a decade on the City Council. "We don't have any problem with the Mayor wanting his own team, but you don't have to malign people."

Bobb reports to the 60-year-old Mayor as a result of the "strong mayor" initiative that voters approved last November at the same time they elected Brown. For his part, Brown has been blunt about the city's troubles. The suburbs, he recently said, are cheaper, cleaner, safer and have better schools, but Oakland can beat that. The Mayor said he will provide the vision and let others figure out how to do it.

But last month, a past chairman of the city's African American Caucus, **William Patterson**, and more than 70 other black leaders filled the City Council chambers to protest the forced resignation of Samuels. One clergyman threatened to "lie down on the floor like

we used to do 30 years ago." The group is circulating a petition urging respect for the Police Chief.

During Samuels' tenure, crime in Oakland has fallen at a greater rate than at any other time, according to the Rev. **J. Alfred Smith**, senior pastor at Allen Temple Baptist Church, where the Chief is a member and deacon. But Brown stressed that the decline has not been as steep as it could have been, given the national trend. The Mayor compared Oakland's 81 murders in 1998 with the 63 in San Francisco, a city twice the size. He did not compare it to cities with more comparable demographics, such as Detroit or Washington, which also have a largely poor, minority populations.

"We can do better," Brown said at a recent Greek-American Independence Day celebration. "But in order to accomplish our goal, attract people and make this a better city for the people who've suffered the bad times, we've got to bring crime way down. That's the priority," according to remarks reported in The New York Times.

Smith, however, fears that Brown will bring in a police chief who is only interested in statistics. Samuels, he said, had improved relations between the community and the department. "We don't really know what Jerry Brown is going to do, because he hasn't told us," said Smith. "Is the city of Oakland going to go the way of New York under Giuliani? And does that mean we're going to face what's going on in New York City right now?"

Rumors have been circulating that Brown is going to bring in a former New York police chief to run Oakland's department, but the Mayor has refused to discuss that hearsay.

The grass gets a little greener in BaltCo

Other Maryland agencies may have to struggle to keep up with generous police pact

An unusually generous agreement reached in March between Baltimore County and the union representing its police officers will raise salaries several thousand dollars above those offered by neighboring departments in Anne Arundel and Howard counties and in Baltimore City, and could set off a round of catch-up as law enforcement agencies fear losing sworn personnel to better paying jobs elsewhere.

Baltimore County once was among the lowest-paid departments in the state, according to a 1998 survey by the Maryland State Police. The recent \$20-million increase will raise first-year salaries for Baltimore County officers to \$30,156, as compared to the \$27,312 earned by city police officers in their first year, and the \$27,878 earned by Howard County police rookies.

The lucrative police contract is being paid for with \$70 million in extra revenue from property taxes. It also includes a clause permitting salary negotiations to be reopened during the third and fourth year of the contract if county officers' wages fall below the average of those earned by officers in Anne Arundel and Howard counties and the State Police.

The agreement, which was approved by an overwhelming 89 percent of the department, is due to be reviewed by the County Council this month. Salary increases would begin as of July 1.

"It's going to be virtually impossible to hire the amount of people we need to hire with Baltimore County hiring at the same time," said Gary McLhinney, president of the Baltimore City Fraternal Order of Police. The city force is anticipating

"If Baltimore City does not do something about salaries, we are going to get people that no one else wants to hire."

— Baltimore Mayor Kurt Schmoke

300 vacant positions this year.

McLhinney told The Baltimore Sun that in a meeting with Mayor Kurt L. Schmoke to discuss the Baltimore County pay increase, the Mayor seemed "surprised and concerned" about the disparity in the two jurisdictions' pay.

"If Baltimore City does not do something about salaries, we are going to get people that no one else wants to hire," he said.

Officials in the surrounding counties are said to be concerned that the new Baltimore County contract puts pressure on them to come up with attractive pay packages for their own personnel. Already, one officer from Anne Arundel County has applied to Baltimore County. If accepted, it would mean a loss of \$15,500 that the county invested in training, but an additional savings to Baltimore County.

Officers from other counties complete just an eight-week

training course instead of six months. They then spend two years as probationary officers, said Bill Toohey, a spokesman for the Baltimore County police. Even the Baltimore City homicide detective who was a central character in the hook on which the television program "Homicide" is based spent two years on patrol after transferring to Baltimore County in 1995.

In Howard County, the Police Association has yet to begin negotiations with newly elected County Executive James N. Robey, said spokesman John Paparazzo. Word of the pay hike, however, has "spread like wildfire" throughout the police department, said Sgt. Morris Carroll, a public information officer for the department. "We are concerned about retention of our current officers and recruitment. We want to keep the qualified officers here in Howard County."

While the \$27,876 starting salary in Anne Arundel County does not differ significantly from those in surrounding jurisdictions, there are other disparities. At the six-year mark, county officers there earn nearly \$4,000 less than officers in Howard County and about \$8,000 less than colleagues in Prince George's County.

The pay raises in Baltimore County are of deep concern to Anne Arundel County Executive Janet S. Owens, who noted that a cap on property-tax collection and a promise to teachers to increase salaries by 3 percent limits how much can be offered to police.

"Clearly, there is a potential impact," she told The Sun. "If I could and I had the resources I would love to do it for our officers."

Filling the bill:

Phila. PD rediscovers the value of training

Just days after a Philadelphia Police Department K-9 officer and his dog returned last summer from a three-week training course in New Jersey on cadaver searches, the team identified the presence of bodily fluids in a home where a young girl had been reported missing by her foster mother.

Armed with that information, detectives questioned the child's guardian, who confessed to killing 6-year-old Jacqueline Veney and dumping her body in the Schuylkill River. It was found hours later on the river's muddy banks, according to police.

The swift resolution of the case might not have been possible, however, if Police Commissioner John F. Timoney had not overruled an initial rejection of the request for the training on the grounds that it would cost too much in overtime. Greatly enhanced training and educational opportunities for the 7,000-member force has, in fact, become a hallmark of Timoney's since his swearing-in early last year.

And it has certainly differentiated him from the city's past commissioners. With the exception of Commissioner Kevin Tucker, who sent 88 senior officers to management seminars at Harvard during the 1980s, there has been little recent effort to encourage officers to participate in higher education. It was not until 1989 that Philadelphia even required its officers to have a high school diploma — the last major city to do so, according to the Committee of 70, a good-government group that has studied the department's policies.

In the past year, Timoney has instituted training for homicide detectives, who now attend four-day seminars in the latest sleuthing techniques. Previously, nearly all training had been on-the-job. Narcotics officers are now heading to classrooms before heading on to the streets. The department even held its first-ever college fair last August, attracting 1,200 officers to the Police Academy to look into the possi-

bility of taking courses at local colleges and universities.

Timoney also approved a three-day course on auto-theft investigation. "My officers love the training," Capt. Joseph O'Brien, commander of the 35th Police District, told The Philadelphia Inquirer. "And you wouldn't believe how many cars they've recovered." The year before, Capt. Jack McGinniss, head of the Major Crimes Division, had had his request for the training course denied.

The attitude that education counts has spread quickly throughout the department. Just from reading about Timoney before he was sworn in, Capt. Donna Sykes, formerly in charge of recruit training and now head of the department's parks patrol, signed up for courses to complete her bachelor's degree in criminal justice. "I could see the way the wind was blowing as far as advancement goes," she told The Inquirer.

Timoney's special assistant for education and training, Insp. Michael Cooney, a 29-year veteran who holds a master's degree in education, said he had never seen a commissioner so interested in training. Cooney, apparently the only officer who expressed an interest in the issue, was plucked from night command by Timoney and assigned the task of reviewing the PPD's training programs. He reports directly to the Commissioner, bypassing the established chain of command.

"If I had to go through normal channels," he said, "I wouldn't have been able to get 95 percent of these changes through."

One of his first chores was to ascertain the educational level of all employees — something the department had never tracked. Cooney discovered 813 men and women, including civilians, who had college degrees. Seven had master's degrees and three had law degrees. The information will help identify instructors for the Training Bureau, which had been slashed under pressure to move more officers on to the streets,

and candidates for scholarships and seminars.

The Commissioner himself, a former second-in-command in New York City, earned a bachelor's degree and a master's in American history and a master's in urban planning. Timoney was among the first New York City officers to enter Columbia University's Police Management Institute, an elite program which offered training in organizational and budgeting skills to 150 high-ranking officers.

On a trip to Ireland in 1994, where the Dublin-bom Commissioner ran in a marathon, he was fascinated to learn that the Irish national police spend two years alternating field training with classroom lessons. While that would

not be feasible in the United States, said Timoney, he worked to expand police training in New York City from six months to nine months. Two of the additional months are spent in precincts, and the third month is a wrap-up at the academy. Similar changes were introduced at the Philadelphia Police Academy.

Indeed, in just his third week in Philadelphia, Timoney assigned 10 additional people to the academy, where a staff of just 18 was struggling to train more than 200 recruits. One area of academy training he saw as incomplete was the preparation of young officers to testify in court. They received only a four hours of lecture time in the classroom, and a short primer on the dos and

don'ts of being on the witness stand.

Timoney also instituted a program where recruits meet at City Hall and the Criminal Justice Center for three days. Just as they would on the job, they receive a teletype telling them where to report for court. Each recruit is given the facts of the case and spends 15 minutes on the stand while lawyers play the roles of judge, prosecutor and defense attorney. The whole process is videotaped.

"You see some of these young cops, they're 19 years old, they don't know what court is all about," said Bradford Richman, an attorney and assistant to Timoney. "They're literally shaking when they get there," he told The Inquirer.

Federal court whittles away at legal options for rape victims

Rape victims will no longer be allowed to sue their attackers in Federal court for civil rights violations, under a ruling handed down in March by the Court of Appeals for the Fourth Circuit in Richmond, Va.

The ruling affects only the states in the Fourth Circuit, which covers Virginia, West Virginia, Maryland, North Carolina and South Carolina. It upholds a lower court's decision in a challenge to the Violence Against Women Act, which became law in 1994.

While the ruling eliminates just a narrow portion of the act and has a limited geographic scope, Julie Fulcher, the director of policy for the National Coalition of Domestic Violence said her organization — which was instrumental in getting the law passed — still feels strongly about the controversial provision.

"It basically provides a remedy for women who can't get any kind of results through the criminal system — particularly if there is no evidence that

would encourage a prosecutor to take it to criminal trial," she told Law Enforcement News. "She at least had the option of trying to prove in civil court that there was damage done."

The 7-4 appellate decision stems from a case involving a Virginia Tech student who accused two football players of raping her. The victim, Christy Brzonkala, did not report her attack for several months and no criminal charges were ever filed against the two college athletes, Antonio Morrison and James Crawford.

Brzonkala contended that Virginia Tech mishandled the proceedings against Morrison and Crawford and protected them because they were athletes. The case never went to trial.

In a lawsuit filed under the provision of the 1994 act, Brzonkala argued that their actions violated her civil right to be free from gender-motivated crimes of violence. Such crimes, she said, imposed medical and legal costs on victims, affecting commerce by in-

hibiting travel by those who fear violence, and lessening their productivity.

On March 6, the full court overruled its own three-judge panel, which had voted 2-1 in 1997 to throw out the lower court's ruling in the case. "Such a statute, we are constrained to conclude, simply cannot be reconciled with the principles of limited Federal Government upon which this nation is founded," said Judge J. Michael Luttig. Congress overstepped its bounds when it relied on its power to regulate interstate commerce to enact the law, the appeals court ruled.

Coming up in LEN:

Has Y2K got you bugged? Find out what some agencies are doing about the millenium computer problem.

Can a little demographic info go a long way?

Police officials, agencies divided over response to racial profiling furor

Continued from Page 1

In Connecticut, where the law-enforcement community has been a vocal opponent of such a measure, the state chiefs' association and legislators are working to craft a bill that would track the number of minorities who are stopped by relying on officers' perception of an individual's race. The measure is being sponsored by State Senator Alvin W. Penn, a Democrat from Bridgeport, who is co-chairman of the Public Safety Committee.

Penn said the bill is necessary because black drivers face a greater chance than white motorists of being pulled over for routine violations. The legislation, which he said would inhibit the use of profiling by police, calls for officers to document 10 facts about the driver, including, race or ethnicity, approximate age and whether English was the motorist's primary language.

The state's police chiefs and Dr. Henry C. Lee, the Commissioner of Public Safety, had come out strongly against an original proposal which would have required police to get that information by asking questions of drivers — an approach that could conceivably jeopardize an officer's safety, according to the law-enforcement officials.

Lee, who said he did not object to the bill's purpose, contended that asking motorists personal information about ethnic heritage could be insulting. "This may be considered intrusive and offensive to the public and will not help our public relations issues," he told The New York Times.

Cromwell Police Chief Anthony Salvatore, the legislative co-chair of the Connecticut Police Chiefs Association, told Law Enforcement News: "Our association does not think the problem is as pronounced as some people think it is. We recognize that it is against the law and we do not condone racial profiling."

"Now having said that," he continued, "if you as a motorist are not already upset that a police officer has

pulled you over for a motor-vehicle violation, I guarantee you that by the time I'm finished asking what your race is and whether English is your primary language, you are definitely going to be upset with the officer."

In a situation where the driver is confrontational at the outset, Salvatore said that asking those questions will only serve to place the officer at more risk. Stressing the strong working relationship the chiefs' association has with Senator Penn, who, Salvatore said, has kept his promise to involve law enforcement in the bill's development, a compromise has been reached whereby officers will use their judgment as to the race of a driver. While not in favor of the measure, the association will not

that officers are not basing their actions on skin color or other characteristics.

Chief Bill Lansdowne, whose move has been praised both by civil libertarians and by state lawmakers who hope to enact legislation that would require the same information to be collected statewide, said the department is most interested in those stops that do not result in further action. While most police departments already note age, race and other information on arrest reports and tickets, data is not collected on those who are let go without being cited.

The information collected by San Jose officers will be entered into their cruisers' computer terminals. Within two months, officials expect to be able to see whether there is a pattern of ra-

whether to break down national origins within ethnicities, such as Korean, Vietnamese or Japanese when the motorist is Asian. "We are in the beginning stages of working this issue and hammering out the finer details," he told LEN.

Not everyone in the law-enforcement community agrees that asking personal questions of drivers is wrong — or necessarily dangerous.

Portland, Ore., Police Chief Charles Moose believes that police should adhere to the wishes of the community in this case. If community members feel that having such data will help identify a problem, law enforcement is obligated to gather that information.

"In places where they have gathered

Moose said there have been discussions on whether to implement tracking in his department, but that the best system for taking such action has not been determined. Instead, he said, the agency wants to focus on the issue of how motorists are treated once they are stopped, and continue training and other solutions to make sure a problem does not develop.

Contrary to what many of his colleagues in law enforcement believe, Moose contends that asking motorists questions about their race would not be perceived as offensive. He has faith, he said, that police will be able to gather such information in a non-invasive way. When the department first began asking date of birth, Moose noted, there were those who said citizens would be insulted. That question is now standard on the Portland Police Bureau forms.

"Citizens seem to understand, especially if they are telling us that they want us to have this information to see if there is a problem," he said. "I don't see how citizens are going to be offended by this."

Frank Askin, a law professor at Rutgers University Law School in Newark, N.J., and a general counsel for the American Civil Liberties Union, agrees. Nearly 30 years ago, he pointed out, a similar situation arose with New Jersey State Police targeting hippies, or as they were then labeled, "long-haired travelers."

Askin, who brought the first profiling suit against the NJSP, believes that having police gather basic demographic information is crucial to resolving what he contends is a police practice of racially profiling motorists.

Not that Askin believes the profile has changed over time, however. He suspects that minorities were being targeted along with hippies at in the 1970s, but unlike the more middle-class college students, they rarely filed complaints. "I think, basically, if a racial minority was stopped and he wasn't harassed, or arrested or beaten up, he was happy to go on his way and never complain about it," Askin told LEN.

While the ACLU's challenge was making its way through the Federal court system, a Federal district judge in Philadelphia issued an injunction against the Philadelphia Police Department based on an earlier appellate ruling in the case. The U.S. Court of Appeals for the Third Circuit overruled the finding of a judge who had dismissed the ACLU's case in New Jersey on the grounds that it was beyond the power of a Federal court to supervise state police practices.

The Philadelphia department, and Police Chief Frank Rizzo, were forbidden to stop and harass black citizens without probable cause. The ruling was upheld by the Court of Appeals, but Rizzo took it to the Supreme Court.

In 1976, Justice William Rehnquist wrote a majority opinion in which he concluded that the principles of federalism precluded the supervision of a local police department by a Federal court — even as a remedy for unconstitutional conduct, according to Askin.

When the ACLU's original case returned to the appeals court, judges stated that the Rizzo case had left them unable to provide a remedy for what they called the "callous indifference by the New Jersey State Police for the rights of citizens using New Jersey road."

"Citizens seem to understand. . . . I don't see how citizens are going to be offended by this."

— Portland, Ore., Police Chief Charles Moose

actively oppose it.

But there are other problems that the chiefs' association foresees with the whole concept of documenting drivers' race. Salvatore said the group is concerned that productive officers could keep a running tally of the drivers they have pulled over. If four African Americans were stopped, some officers might feel compelled to pull over four white drivers, as well. It is also possible, he said, that police productivity would fall as a result of the extra demands.

And what assurances are there, he asked, that if an officer is illegally using racial profiles for traffic stops, he will fill out the paperwork correctly?

What some departments are now being pressured to do, the police departments in San Jose and San Diego, Calif., are doing voluntarily. The San Jose Police Department expects to implement a plan in May to track the race, sex and age of every motorist pulled over on a traffic stop to ensure

cial profiling or other discrimination. If so, Lansdowne said steps will be taken to "change the way we do business," The New York Times reported.

A similar program was announced in February by Jerry Sanders before he stepped down as San Diego's police chief.

"I've got to really applaud these two chiefs for recognizing that, at the very least, they have a perception problem and they have to get to the bottom of it," said State Senator Kevin Murray, who has sponsored a bill that would require the state to compile statistics on all traffic stops. Such a measure was vetoed last year by then-Gov. Pete Wilson.

According to Rubens Dalaison, a San Jose police spokesman, it has not yet been determined whether officers will be required to ask questions of drivers, or whether, as in Connecticut, tracking will rely on officers' perception of race. There is even the added wrinkle

some data, unfortunately, what they have discovered is that is a problem and somebody in that system was denying that there is a problem," Moose told LEN. "If you want to solve a problem, you have to really know if you have one — and that data might help us get there."

In his own city, the Chief said, he has been confronted by citizens who feel that while profiling has not been an overwhelming issue, it needs to be studied, and to that end, Moose, the Portland police union and 20 other police executives from the Portland metropolitan area have drafted a policy statement offering their thoughts on the issue.

The document, called the "Law Enforcement Non-Discrimination Resolution," asks that the state's police agencies adopt non-discrimination policies in light of a bill passed in 1997 by the Oregon Legislature that expands police powers to make stops, ask about the presence of weapons and seek consent to search.

While recognizing that most law enforcement officers in the state have not engaged in discriminatory practices, the resolution calls for the gathering of complaint and traffic stop data, the conducting of general population and minority community perception surveys and enhancement of training and community outreach efforts.

"The only valid police practices are those free of discrimination or suspicion engendered by race and that this expectation and right extends to all people," the resolution states. "We clearly declare that, except in extraordinary circumstances, police officers should not take race into account in determining whether individuals appear to be suspicious because the concept and practice of race-based profiling is counterproductive to good and professional police work and to the public safety of our communities."

Whether racial profiling is real or just a public perception should not matter in terms of the actions taken by law enforcement to address the issue, Moose said. The problem is one that has made minorities feel less respected and less involved, hindering law enforcement's efforts to reduce crime. Police, he said, cannot do their jobs without the public's trust.

Rating juvenile offenders: a study in black & white

Subtle and sometimes not-so-subtle differences in the way the state of Washington's probation officers assess black and white juvenile offenders may directly influence sentence recommendations and lead to harsher punishment for black teenagers, according to a new study.

Examining written reports from 233 juvenile cases processed between 1990 and 1991 from three undisclosed counties, researchers found that the 63 black youthful offenders were more likely to be described as being motivated by defects in character, rather than as victims of circumstances, as was the case with white adolescents.

The study, published in the American Sociological Review, is said to be one of the first to examine the reports judges consult before imposing sentence. One researcher, George Bridges of the University of Washington, said the courts rely heavily on negative motives perceived by probation offic-

ers — more so than on the severity of the youth's crime or prior criminal history.

"What struck me was the profoundly different ways the reports described children who are seemingly different only by their race," said Bridges. "The children would be charged with the same crime, be the same age and have the same criminal history, but the different ways they were described was just shocking."

For example, in one evaluation of a black 17-year-old who had no criminal history and was charged with first-degree robbery, the officers wrote: "This appears to be a premeditated and willful act by Ed. There is an adult quality to this referral. In talking with Ed, what was evident was the relaxed and open way he discusses his lifestyle. There didn't seem to be any desire to change."

In contrast, Lou, a white offender of the same age who was charged with the same crime, was described by the officer in the report as being a "victim of a broken home." Lou, it said, was easily misled and followed delinquents against his better judgment. "Lou is a

tall emaciated little boy who is terrified by his present predicament," said the report. "It appears that he is in need of drug/alcohol evaluation and treatment."

The study, which Bridges co-authored with Sara Steen, an assistant professor of sociology at Vanderbilt University in Nashville, Tenn., was commissioned by the state Juvenile Rehabilitation Administration as a follow-up to earlier studies Bridge conducted showing minority youth, especially blacks, were more likely to be charged with a criminal offense, tried and sentenced to confinement.

Sid Sidorowicz, an assistant secretary for juvenile rehabilitation, told The Seattle Post-Intelligencer that what Bridges identified was a potential bias in the way individuals ascribe motivations. "And that is then reflected in what kind of sentences they get," he said.

One way to counteract the process with regard to juvenile offender reports, said Sidorowicz, would be to have a more structured assessment form that would ask concrete questions while not eliminating professional judgment.

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Mixed reviews for plan to curb police impostors

A bill passed last month that would require Oklahoma's police and sheriff's departments to affix light bars and other equipment to unmarked cars used for traffic enforcement has gotten mixed reviews from the state's law enforcement community.

The legislation, which is expected to be signed into law by Gov. Frank Keating, prohibits the use of unmarked vehicles for routine traffic stops without some modification. It was created in response to recent reports in Oklahoma County of police impersonators in unmarked cars pulling over unsuspecting motorists.

"As you put more and more unmarked police cars on the road and conduct a media campaign that lets people know there are unmarked cars on the road and they need to stop for them, I think you're putting people at risk," said the bill's sponsor, Representative Richard Phillips, a Republican from Warr Acres. "They're nervous, they're scared, they're having conversations about who they should pull over for and who they shouldn't."

In an attachment to the original bill, police are now required to be dressed in uniform before making traffic stops. Vehicles must have any one of a combination of flashing lights as specified under the law that can be seen from all corners. Unmarked cars will still be used for DUI enforcement and drug interdiction operations, however.

Those who impersonate law enforcement officers and disguise cars to look like police vehicles will be charged with a felony punishable by up to 10 years in prison and a \$10,000 fine.

According to Oklahoma City Police Capt. Charles Allen, the law will allow the department to continue its highly successful RAID (Reduction of Accidents and Aggressive and Inconsiderate Drivers) program, which uses uniformed officers to make stops.

"Our marked cars are identical to our unmarked cars except they're painted a solid color and have no markings on the side," he told LEN. "They

Would a police impersonator spend \$3,000 for a light-bar system?

have the same lighting, same sirens, cage, computers — everything is the same. When we did nighttime photography of the vehicles — a black-and-white and an unmarked vehicle — it was impossible to tell the difference," he said. "That was the concern among some legislators, that impostors would try to create an unmarked vehicle. Well, an impostor is not going to spend \$3,000 for a lighting system."

Allen does not believe that small departments will run into any traffic enforcement difficulties as a result of the law. Unlike the Oklahoma City department's jurisdiction, which covers 640 square miles, smaller departments do not have the same high volume of traffic. "We had a definite problem that most other departments don't have."

In Seminole, which has a 14-officer department, Chief Chris Mills told LEN that cars are already well marked and identify the agency with a decal at the front of the vehicle and on the license plate. Mills said he is all for the new law, and does not foresee any problems.

"The light bars cost as much for a marked car as for an unmarked car," he said. "I can't see it would be an more of an expense."

But other law enforcement agencies contend the law will handcuff police from making traffic stops. Tulsa Police Chief Ron Palmer said he remains opposed to the legislation. While the department can live with the lights and uniforms requirement, Palmer said, police should be allowed to enforce traffic regulations in any way they see fit, including the use of unmarked cars.

Instead of responding to the problem of police impersonators, he said, the law prevents police from carrying out legitimate traffic enforcement. Tulsa has had a few, isolated instances

in which motorists were victimized by police impersonators, Palmer told LEN.

"To me, it's like you're throwing the baby out with the bath water," noted Assistant Chief George Scott of the McAlester Police Department. "If there is a problem with police impersonators, then we have a law against that. Making the law stronger is fine, but don't take away a tool law enforcement uses just because some people are impersonating police. [We] are not doing anything wrong."

Chief Hank Land of Shawnee, who is also opposed to the legislation, recounted an incident in which he was dressed in civilian clothes and in an unmarked car when a motorist went through a red light while he was sitting at an intersection. "I have two citizens looking at me, knowing full well who I am and what I am, and in their minds, they're saying, 'Chief, what are you going to do about this?'" said Land. "That's the unfortunate thing."

Ill-gotten gains?

In contrast to Oklahoma, Georgia's law enforcement community had little bad to say about a bill that has passed both houses of the Legislature, which would rescind radar permits from those departments that rely on radar and laser speed detection to generate 40 percent

or more of their annual budgets.

The legislation would require such agencies to prove the tickets were made for some reason other than the raising of revenue. Exempted from the formula would be those tickets given to drivers who were clocked by radar going 17 miles per hour or more over the speed limit.

"It's trying to eliminate speed traps," said Frank Rotondo, executive director of the Georgia Police Chiefs' Association. "There are very, very few that may even come up to that 40 percent mark. There are departments that clearly show more than 40 percent of revenue coming in from their court sys-

tem, but when you start to look at where the money is coming from, it is not derived exclusively by speed, but by DUI arrests, building code violations, any police-related activity."

The bill is reasonable and has the support of the chiefs' association, said Rotondo. Departments that do exceed the 40 percent mark, he said, may benefit from a reexamination of how they are serving the community, "especially in the day and age of community policing, where the focus point is in developing a better relationship with the community and integrated all parts of that community into overall law enforcement effectiveness."

Police stations roll out welcome mat

As part of a broader plan to turn the Durham, N.C., Police Department's four substations into community gathering places, the stations will be opened to the public during regular working hours to handle routine services.

Making the stations accessible to citizens is a goal of Police Chief Theresa Chambers, who has wanted to turn the facilities from closed "officers-only" meeting spots to some sort of community center. Chambers envisions a place where people could gather to talk over problems and children can do homework and school projects — in short, a station where everyone feels welcome.

The substations, one in each of the city's four police districts, are currently used for "Partners Against Crime" meetings and meetings with officers and city officials.

The department has hired four secretaries who will staff the offices from 9 A.M. to 5 P.M. Mondays through Fridays, giving citizens the ability to file accident and incident reports. As it stands, those forms can only be obtained at the records office at the downtown police headquarters Tuesday through Thursday. The secretaries will also be able to take messages for patrol officers who work varied 12-hour shifts and are not always reachable by phone.

Cops face the music over free access to concerts

After more than 30 uniformed officers used their badges in lieu of tickets to gain admission to a sold-out country music concert at Albuquerque's Tingley Coliseum, the State Fair commissioner is considering a "no badging in" policy for city police at the local arena and on State Fairgrounds.

According to a security worker, there was such a glut of officers backstage at the December concert by Shania Twain that the officers had to be asked to move so the country music star could get to the stage.

The practice of badging in has been taken advantage of over the years by both uniformed and nonuniformed officers, said Commissioner Tom Tinnin. He was not trying to "slam" the police, he said, but pointed out that tickets to the Twain show cost \$33.25 and \$46.25. When asked why so many police were at the concert, Tinnin said the security workers seemed to think the answer was obvious: It was a good show.

"Just about any major event you could think of that's hard to get a ticket for, you're gonna see a major police

presence show up," said one security worker. "The police were out in force for Shania Twain."

Last September, Tinnin recalled, he saw a law enforcement officer and his family get in to the State Fair for free. He did not know which police department the officer worked for, however.

Police should not think of the State Fairground events as a perk of their job, said Tinnin. "If they have business there and they need to get into Tingley, great," he told The Albuquerque Journal. "We want them there. It's a good deterrent."

Police Chief Jerry Galvin agrees. While some police officers were called to provide backup to the State Police the night of the Twain concert, Galvin admitted it was possible that some officers who had no legitimate purpose for being there did slip in, in violation of police policy.

"I think some officers took advantage of the situation," the Chief said. "We have to put a stop to that. We've made that very clear — that is not to occur."



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Rosenthal:

Even with racial profiling, attitudes can change

By Aaron Rosenthal

Three out of every four drivers arrested on the New Jersey Turnpike are minority motorists. This statistic, contained in a preliminary report released by the New Jersey Attorney General's Office, would appear to give substance to the perception that racial profiling is practiced by New Jersey troopers.

The state troopers who are using actual or purported traffic infractions to conduct auto searches for contraband are acting out a specific role their agency has erroneously encouraged them to embrace. From the outset of their recruit training, emphasis is placed on the crime-fighter aspect of their job, and this attitude is reinforced by the formal and informal training, policies and reward systems that accompany them throughout their careers.

It should come as no surprise, then, that this perception of the crime-fighter role would induce them to join the ongoing "war" against drugs and firearms by attempting to interdict the transporters whom they believe to be using their highways to ship contraband to towns and cities nationwide.

The legitimate outcry against the racial profiling engendered by these policies has generated Federal and state investigations that will certainly result in a litany of recommendations addressing attitudinal changes, sensitivity-raising processes and recruitment and training issues. As beneficial as these programs will be, however, the problem of racial profiling and unlawful searches and seizures will only be effectively addressed if the agency's leaders take action to modify the behavior of these officers in the field.

Management must immediately take two simultaneous steps to address this egregious activity. There must be a policy mandating that all drug and firearm confiscations and arrests that are the product of traffic stops result in the prompt notification of a ranking officer, preferably a captain or above, who must respond and conduct an investigation into the stop, search, seizure and arrest, and promptly submit a written report through channels to the agency head with a copy to the Internal Affairs Unit. Review boards should be created to review and evaluate the actions of the officers in each case. Records of these reports, investigations and findings will serve to identify recurring procedural shortcomings and derelictions. These reports and their findings should also be made available to the commanding officer of the training academy for use as case studies in recruit and in-service training classes.

Stops and searches that do not result in seizures and arrests, though not mandating the response of a ranking officer, should be reported by the officer concerned and be the subject of review

Harvesting the bitter fruit of too much emphasis on the crime-fighter aspect of police work.

by his or her immediate supervisor. Permanent records should be kept of these activities and should be part of the officer's personnel file along with the findings of the respective boards and/or supervisors. These files can become source material for identifying training needs as well as problem individuals. Where allegations are made of improper stops and searches and there has been no report filed by the officer, an investigation should be initiated and appropriate action taken where necessary.

Notwithstanding the notoriety given individual shooting incidents involving New York City Police Department officers, a similar type of proactive managerial response has been a major factor in the drastic reduction in the number of firearms discharges by members of that department. Statistics show that since the inception of such a

policy, shootings of police have also declined. Leadership involves making decisions that are sometimes unpopular with subordinates.

The leadership of the New Jersey State Police also has to engineer its training and operational policies to conform to a service model of policing. They have to re-engineer a reward system that currently holds the carrot of job advancement as an inducement to execute these questionable investigations. Our system and our citizenry are better served in the long run by law enforcement officers working as a team whose members each understand and perform their legitimate, assigned roles.

State troopers perform a valuable and necessary service when they enforce the vehicle and traffic laws, assist at accident scenes and help stranded motorists. This is not to discount their role as law enforcement officers who are frequently called on to serve the needs of small towns without the resources to fund their own police departments. Many state troopers have given their lives fulfilling their various mandates. However, they must be discouraged from undertaking these questionable traffic stops/drug and firearm investigations, which are best left to the specialists whom the various local, state and Federal law enforcement agencies go to great expense of time and money to train and equip.

We have learned from the civil rights movement, for example, that attitudes may be a long

time in changing, but that behavior can be modified if the people in leadership positions are willing to implement and follow up on policies to ensure that the appropriate laws and rules are in place and adhered to. In my 33 years in the New York City Police Department, I saw a cultural revolution take place within my own agency regarding the employment of gays, women and minorities and other controversial issues, which would not have occurred had certain leaders both within the department and outside it failed to send a loud and clear message that deviation from their policies would meet with an appropriate, swift and certain response.

Police leadership must take immediate steps to address the endemic problem of racial profiling, which I have no doubt exists to some degree in almost every police department in the country. The two recommendations proposed and described above, I believe, will give management the tools that can help them address this unacceptable practice.

(Aaron Rosenthal retired from the New York City Police Department as an assistant chief, following a 33-year career that included service as commanding officer of the Civilian Complaint Review Board and Manhattan detective commander. He is currently a consultant and an adjunct professor of police science at John Jay College of Criminal Justice.)

Berg:

Crime scene investigations — time to get back to the basics

By Gregory R. Berg

Former UCLA basketball coach John Wooden won more NCAA championships than any coach in history, with a run of 10 national titles in 10 years that will never be equaled. He was called "the Wizard of Westwood," and deservedly so. You would think he was some kind of genius, who devised brilliant game strategies and clever methods of motivating his players. The truth is, he really didn't. John Wooden simply believed that the basic execution of the fundamentals of the game of basketball was the key to ultimate success.

A reporter once wrote about a visit to one of Wooden's practices the night before the NCAA championship game. He fully expected to see Wooden charting out some dynamic new plays

Police can learn a few lessons from legendary basketball coach John Wooden.

and encouraging his players with a challenging and motivating speech. What he did observe, in fact, was quite startling to a seasoned veteran of the sports pages. Rather than crafting some special plan for dealing with the next day's dominating opponent, Wooden had all of his players lined up near one end of the court practicing bounce passes for almost 30 minutes. In fact, virtually the entire session was devoted to basic dribbling, rebounding and shooting drills. Wooden believed that constantly practicing, mastering and executing the basics to perfection were the keys to his team's success. Wooden's remarkable record confirms the validity of his philosophy.

Fundamental skills are also critical in policing. Although people have come up with countless new programs and endless ways to evaluate municipal policing, it is really the basic which enable us to be effective in dealing with crime and neighborhood problems. And it is the people on the front lines who enable police departments to accomplish their primary mission: to prevent and deter crime. We must never forget that no matter how much the world changes, for police officers, fewer crime victims is "Job One."

Officers, detectives and sergeants should constantly evaluate their fundamentals. Are reported crimes, especially crimes, being thoroughly inves-

tigated, or merely reported? Are neighborhoods being canvassed for that one witness who may give us the little piece of information we need to identify the suspect? Have we searched thoroughly for evidence, including fingerprints, and have we protected evidence and gathered it in an expert manner? Are we completing well written reports that contain all of the information that will make a subsequent follow-up successful? Are we doing a comprehensive job investigating at a crime scene or do we always expect the experts and the specialists to "figure it out"?

Essentially, how well do our front-line patrol investigators, detectives and our sergeants execute the fundamentals of high-quality police work at the scene of a crime? As John Wooden taught us so many years ago, you don't get to cut the net down after the final game if you don't understand the most basic fundamentals of the game and perform them consistently well. So it is without front-line police work.

(Deputy Chief Gregory R. Berg is commanding officer, operations, in the Central Bureau of the Los Angeles Police Department. In 1998, he was responsible for implementing a variation of the New York City Police Department's Compstat process within the LAPD.)

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'Hate rock' spreads its musical message

As rock groups with "white-power" themes join the mainstream music scene through the Internet and on some college radio stations, organized hate groups are finding it easier to recruit teen-agers to their cause, according to watchdog groups.

A report released in March by the Southern Poverty Law Center found a proliferation of Internet hate sites, expanding from 163 in 1997 to 254 last year. Many of them are promoting or providing links to white-power bands which sell CDs, fanzines, Klan or neo-Nazi clothing, belt buckles and another white supremacist accessories, it said.

The Web sites also help link white-power musicians to their counterparts in other countries, including Germany, Japan, Argentina and Brazil. While Germany is the biggest market for hate music, the United States runs a close second.

To gauge the extent to which the white-power music movement has grown, more than 50,000 white power CDs were found in stock when Michigan state authorities raided Resistance Records — one the largest hate group labels and distributors — two years ago on charges of tax evasion. The company's fan magazine at that time ran to 60 pages.

Another hate-group record label and distributor from Sweden, Midgard, runs a store and a Web site, and claims to have made \$200,000 in sales of CDs and related music materials alone in 1998.

"Music is the most effective propaganda tool ever," said Devon Burghart, director of the Building Democracy Initiative at the Center for New Community in Oak Park, Ill., a community group that opposes racist activities. "It brings racists together into a so-called 'music scene' that lets them spread their message almost innocently. Because while a young person probably wouldn't even read a racist flier, they'll listen to a tape or a CD 15, 20 times

"Music is the most effective propaganda tool ever," says one community activist. "It brings racists together into a so-called 'music scene' that lets them spread their message almost innocently."

and slowly get into the lyrics that way," he told The Chicago Tribune.

The white power music industry began in earnest in England in the 1980s with the rise in popularity of a band called Skrewdriver. Its unabashed enthusiasm for racist lyrics under the guise of nationalism gave rise to other groups such as Bound for Glory, RAHOWA (Racial Holy War) and Youth Defense League. The political and social upheaval in Eastern Europe during the late 1980s and early 1990s fed the movement, as socialist governments fell and the nascent capitalist economies failed to deliver jobs to thousands of now unemployed youths. Many skinheads began emulating the clothes and accoutrements of Hitler's followers.

Europe's disaffected rockers also found fertile ground in America with working-class youths in cities such as Pittsburgh, Oakland, Los Angeles, Atlantic City, Detroit and parts of Florida — all integrated urban areas undergoing various degrees of economic disruption. Without the strict anti-hate laws in various European countries, many racist bands have found it easier to record in the United States.

"They're third positionists, neither Communists nor capitalist," said Mark Potok, editor of the Southern Poverty Law Center's quarterly newsletter about white-power bands. "But what they call nationalist or nationalist socialism is really Nazism."

Although none of the record labels that produce hate music have any formal ties to the Ku Klux Klan, the National Alliance or other white supremacist groups, a youth activist group that

recently picketed a Hoffman Estates, Ill., record store for selling white-power rock said the groups share each other's resources and goals.

"They pass out each other's literature. They use each other's events to promote the same politics and each other's activities," said a spokesman for the group, who would only identify himself to The Tribune as Justin.

The watershed event that brought hate music to the attention of established racist groups occurred more than 10 years ago, when American racist rockers held an Aryan Woodstock-style festival on a private farm in California's Napa Valley. Although the event was rained out, it captured the attention of the Klan's Tom Metzger and neo-Nazi George Byrd. They provided a theology and working ideology that supported the prejudices of listeners.

Among the most popular white supremacist ideologies right now, said Burghart of the Building Democracy Initiative, is the World Church of the Creator, which has a chapter in Chicago and world headquarters in Peoria. Followers believe that Hitler was a prophet and that Christianity is a Jewish plot, he said. The organization is run by Matthew Hale, whose application for a law license in Illinois was rejected on the basis of his racist views, in a case that drew national attention.

Also popular is Odinism, based on Norse mythology. On the Midgard label, there are a variety of Odinist bands among the 225 titles the company carries.

The SPLC's Potok said there is an effort on the part of white supremacists

to disguise their beliefs in Celtic and Norse mythology. Instead of just saying "I hate black people," he said, these groups adhere to a mythic past where men slew wild boar and blonde lasses strolled through Alpine meadows.

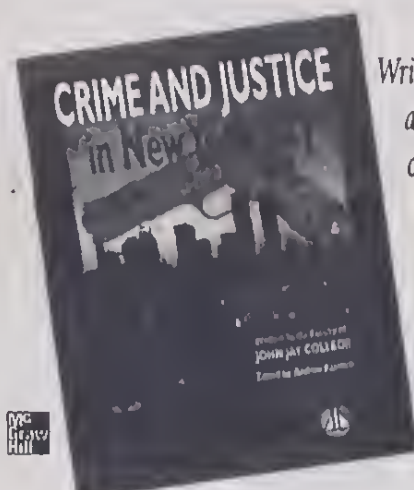
One New Jersey band, Red, White and Blue, said while it was unlikely it would ever play on the same bill with an integrated band, it denied that it played hate music. "We're not a hate-rock band," said James Allen, the band's 23-year-old bass player. "We're a nationalist band, but not nationalist socialist. We're not for racism or anti-racist. We lean more toward the right but we're not a Nazi band."

Allen said the white-power music movement has been gaining acceptance and has recently begun to get some air play on college stations.

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Letters

The danger of GHB

To the editor:

As a narcotics prosecutor with the San Bernardino County (California) District Attorney's Office, I was pleased to read the article in the Jan. 15/31 issue of LEN dealing with the abuse of the drug Gamma Hydroxybutyrate, or GHB, especially among young people and club-goers. I am concerned, however, that your publication, like most others that have written about GHB, concentrate on the enforcement problems surrounding GHB abuse, rather than the extremely serious physical dangers of consuming the drug. You even stated that there have been no deaths from ingestion of high levels of this substance. That is, unfortunately, not accurate.

I am currently prosecuting the case of *People of the State of California v. Lindley Troy Geborde*, in which 15-year-old Lucas Bielat died after ingesting a quantity of GHB given to him at a "rave," or underground dance party, where milk jugs full of the drug in liquid form were allegedly passed around to the young, largely underage party-goers. According to the Los Angeles County Coroner's Office, while the test

for the presence of GHB in the body is quite new (which might explain the dearth of reported GHB-related deaths), nevertheless this quantitative test is now in use, at least to the extent that young Mr. Bielat's cause of death has been determined to be "GHB Toxicity."

Our ability to enforce laws is, of course, a primary concern to those of us in the criminal justice community. However, young people and other potential GHB users should be cautioned: Regardless of whether or not consuming GHB can lead to your arrest, it most definitely CAN lead to your death.

DAVID W. SIMON
Deputy District Attorney
San Bernardino County
District Attorney's Office
Joshua Tree, Calif.

Singular sensation?

To the editor:

I read with surprise the Feb. 14 LEN article on the creation of the new Seattle police museum. The article stated, "...said to be...possibly the only one of its kind in the Western United States."

What surprises me is the fact that for many years, we at the Montana Law

Enforcement Museum have been sending your newspaper regular copies of news articles for Montana. Also, LEN has reported stories related to the MLEM several times in the past years.

The Montana Law Enforcement Museum and official State of Montana Law Enforcement Officers' Memorial was established in 1985. It is unique in that it is owned and operated jointly by the state's criminal justice professional associations. The MLEM is also responsible for the establishment of at least seven other states' police museums and officer memorial projects through its consultation services.

Additionally, there exist the Portland Police Museum and the California Highway Patrol Museum in the Western United States. Perhaps you were unaware of these, but I am surprised with the MLEM's years of contact you printed the above statement.

FR. T.L. TYLER
Coordinator/Chaplain
Montana Law Enforcement
Museum, Inc.
Deer Lodge, Mont.

[Editor's Note: Oops! Our apologies for the gaffe, Father Tyler.]

Janitors? Clerks? Bookkeepers? Yes, and cops, too.

Shortly after New York City Mayor Rudolph Giuliani recently called for \$32 million to be spent on hiring 1,500 more police officers over the next 18 months, the City Comptroller's office countered by saying that 1,250 cops could be put back on the street by replacing them through attrition with lower-paid civilian employees at a savings of \$36.2 million a year — a finding disputed by the NYPD.

According to a three-year-long audit by Comptroller Alan Hevesi's office, 4,139 of 35,440 uniformed officers in 1996 were in support, executive or administrative positions. Thirty percent of those posts could be filled by civilians at a lower cost, the audit said. Among the review's findings were that 559 officers work as office managers, clerks and secretaries. Another 182 are telephone switchboard operators. Eight-six are used as computer programmers, and 46 are custodial and maintenance workers.

It also found eight officers who work as stock handlers in the Department's Quartermaster section at a cost of \$65,000 a year each. A ninth officer, working as a bookkeeper, makes \$83,000.

Other sworn personnel whose posi-

tions could be filled by civilians included an inspector in the Management Information Systems Division who earns \$130,000 and a captain in the Motor Transport division whose salary is \$118,000.

"Even successful organizations must constantly strive to improve their efficiency," Hevesi said in a prepared statement. "Police officers get higher pay as they should, because they perform a dangerous job. There is no reason to pay higher wages for office clerks, secretaries, switchboard operators, custodians and bookkeepers."

For example, the audit said an officer being paid \$83,000 to be a bookkeeper could be replaced by a civilian whose salary would reach just \$34,056. Switchboard positions held by sworn officers earning \$63,492 could be filled by civilians making \$33,221.

The audit also charged the Police Department with falling behind other law enforcement agencies when it came to hiring civilians for non-enforcement jobs, and criticized police officials for fighting auditors every step of the way. According to the audit, the NYPD drew out the probe by delaying and objecting to requests for information and questioning the scope of the audit and

the competency of auditors.

Police Commissioner Howard Safir suggested that the Comptroller's Office did not understand the workings of the Police Department. In the past four years, Safir said, the NYPD has converted 1,167 jobs to civilian positions and has plans to change 500 more in this fiscal year.

Hevesi, he said, incorrectly classified hundreds of positions as having the potential for being done by civilians, and overstated the savings to the Police Department.

While Giuliani conceded that increasing the NYPD to nearly 41,000 officers might appear "counterintuitive" in light of the city experiencing its lowest levels of crime in nearly two generations, it is necessary, he told The New York Times, if reductions in violent crimes are to continue. He said that with the influx of new officers — at a cost of about \$55 million a year in salaries and benefits — the NYPD would also be able to take on the city's second-tier crime, such as auto thefts and burglaries.

The 850 cadets who graduated in February, the Mayor said, are expected to be used to expand anti-drug activity in Queens and the Bronx. Another

1,300 cadets scheduled to graduate in April are to be used to reinforce precincts that have lost officers to narcotics initiatives.

Critics charged that there have been fewer police officers available to work in neighborhood precincts as a result of those drug initiatives, and citywide response time has risen from 9.2 minutes in 1997 to 9.8 minutes last year.

The staffing increase comes at a time when New York has already surpassed the country's 10 other largest cities in its per-capita complement of police officers. In 1997, there were 5.1 officers for every 1,000 residents, as compared with Chicago's 4.9 per 1,000 and Philadelphia's 4.4 per 1,000.

According to the Mayor's office,

since the 1994 fiscal year, the average NYPD head count has grown from 36,703 to a projected 39,397 this fiscal year, and by fiscal year 2000, city officials estimate the NYPD will have grown to 40,078. Reminded of a proposal he made three years to cut the force, Giuliani said: "I was wrong. That was a mistake."

Criminologists and budget analysts contend that there is no way of configuring the optimum number of police officers needed to maintain low crime levels. Said Aaron Rosenthal, a former assistant chief of police and an adjunct professor at John Jay College of Criminal Justice: "Do we get less bang for the buck when we add X-thousand [officers]?"

NYPD union gets its wish: Bonuses ordered halted

New York City's Board of Collective Bargaining ordered the Police Department in March to discontinue bonus payments of \$1,400 to a select group of patrol officers on the grounds that the action constituted an unfair labor practice.

Over the objections of the Patrolmen's Benevolent Association, the "special assignment differential" payments began last summer when letters from Police Commissioner Howard Safir were sent to officers in patrol, housing and transit units chosen by local commanders.

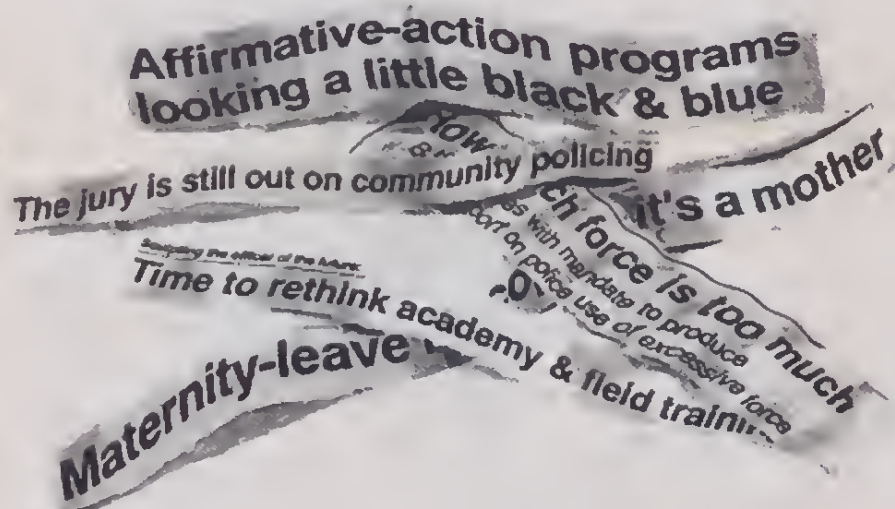
The letters announced that recipients would receive a bonus with their next paychecks due to their contribution to the city's falling crime rate. The officers were chosen, according to the letters, because they "have contributed most to this noteworthy achievement and merit monetary rec-

ognition via designation as Police Officer Special Assignment."

The PBA, however, had rejected the plan and urged its members to turn down the bonuses. The differential, it said, was less than that offered to sanitation workers and could be used as a means of conveying favoritism. The union also claimed that by law, any change in pay had to be submitted to collective bargaining, a contention supported by the arbitration panel.

The city has claimed that a special assignment differential has existed in the NYPD since 1972 without challenge by the union. However, a review of the 115 positions previously classified under that category by the collective bargaining board found they differed in both quality and quantity from the 2,000 additional positions set aside by Safir.

Headlines are not enough



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Law Enforcement News

(33199)

A publication of John Jay College of Criminal Justice/CUNY

DC police struggle with staff shortage

Continued from Page 1

Prince George's County to work on the drug-involved end of the crimes.

"I think we are really seeing some unprecedented liaison," Gainer told LEN. "It's real street stuff."

Gainer believes there is a public misperception about the agency's ability to perform after having had its strength reduced from 4,200 eight years ago to the expected 3,800. That view, he said, fails to take into account how far the proper deployment of troops and the use of technology can go. In the nine months that Gainer and his boss, Chief Charles Ramsey, have been on board, they have already taken on the department's mismanaged sick time and administrative leave policies. Gainer called the court scheduling "abominable," with some 594 officers in court each day.

There are few chiefs who could not gainfully employ every available officer, he said, but during the first budget testimony under Ramsey's leadership, the Chief, Gainer said, did not ask for any more money or personnel until he had had a chance to understand the department and troops better.

The department has been able to

dramatically reduce the number of officers on sick and administrative leave and is in the midst of better deploying what amounts to hundreds of officers from a scheduling perspective, he said.

Most of the officers were working day shifts on Mondays, Tuesdays and Wednesdays, when most incidents occurred on the weekends and in the evenings. "We are trying to match up workload and manpower distribution versus what seniority might yield you," said Gainer.

A lateral-entry program is also being considered, he said, which would allow officers from other jurisdictions with five years on the job to transfer into the department with their pensions and seniority intact. The department is getting scores of inquiries about the program, Gainer said.

It is also looking into a cadet program. Ramsey himself, Gainer noted, is a product of a cadet program in Chicago. There was such a program in Washington some years ago, but it was dropped. "We think it's an excellent way to provide a conduit for the local kids in high school in segue into the Metropolitan Police while picking up an education."

Upcoming Events

MAY

- 20-21. Tourism, Crime & Security.** Presented by the International Association of Chiefs of Police, Detroit.
- 22-23. Tactical Knife Instructor Course.** Presented by CQC Service Group, Concord, N.H.
- 24. Child Abuse for First Responders.** Presented by the Criminal Justice Institute of the College of Lake County, Grayslake, Ill. \$149.
- 24-25. Excellence in the FTO Program.** Presented by the International Association of Chiefs of Police, Manetta, Ga.
- 24-26. Gang Investigation, Suppression & Prosecution Techniques.** Presented by the International Association of Chiefs of Police, Knoxville, Tenn.
- 24-26. Investigation of High Tech & Internet Crime.** Presented by the International Association of Chiefs of Police, Chesterfield, Va.
- 24-26. Fraud Investigation Methods.** Presented by the Investigation Training Institute, Chicago.
- 24-27. Nonviolent Crisis Intervention.** Presented by the Crisis Prevention Institute, Nashua, N.H.

- 24-27. Nonviolent Crisis Intervention.** Presented by the Crisis Prevention Institute, Charlotte, N.C.
- 24-27. Nonviolent Crisis Intervention.** Presented by the Crisis Prevention Institute, Towson, Md.
- 24-28. Police Executive Development: The Pursuit of Quality.** Presented by the Southwestern Law Enforcement Institute, Gresham, Ore. \$495.
- 24-28. Annual Training Conference.** Presented by the Eastern States Vice Investigators Association Inc., Virginia Beach, Va.
- 24-28. Managing Criminal Investigators & Investigations.** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$525.
- 24-28. Management of the K-9 Unit.** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$595.
- 24-28. Investigative Interview Techniques for Internal Affairs Officers.** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$525.
- 25-28. Technologies & Tools for Public Safety in the 21st Century.** Presented by the National Institute of Justice, Orlando, Fla.
- 27-28. Tracing Illegal Proceeds.** Presented

by the Investigation Training Institute, Chicago.

JUNE

- 2-4. DUI Standardized Field Sobriety Testing.** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$350.
- 2-4. Drug Trak for Windows Training Course.** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$395.
- 2-29. School of Police Supervision.** Presented by the Southwestern Law Enforcement Institute, Richardson, Texas. \$795.
- 3-4. Harassment, Discrimination & Liability: Managing a Healthy Work Environment.** Presented by the International Association of Chiefs of Police, Conway, S.C.
- 7-8. Managing Criminal Investigations.** Presented by the International Association of Chiefs of Police, Beachwood, Ohio.
- 7-9. Fraud Investigation Methods.** Presented by the Investigation Training Institute, Phoenix.
- 7-9. Multi-Agency Incident Management for Law Enforcement & the Fire Service.**

Presented by the International Association of Chiefs of Police, Van Buren, Mich.

- 7-9. Cultural Awareness: Train the Trainer.** Presented by the International Association of Chiefs of Police, Muscatine, Iowa.
- 7-9. First Line Supervision.** Presented by the International Association of Chiefs of Police, Mapple Grove, Minn.
- 7-11. Verbal Judo — Train the Trainer.** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$575.
- 7-11. Practical Hostage Negotiations.** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$525.
- 7-11. Motorcycle Accident Investigation.** Presented by the Institute of Police Technology & Management, Miami, Fla. \$525.
- 7-11. Homicide Investigations.** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$525.
- 7-18. Advanced Traffic Accident Investigation.** Presented by the Institute of Police Technology & Management, Richmond, Ky. \$695.
- 8-11. Nonviolent Crisis Intervention.** Presented by the Crisis Prevention Institute, Charleston, W. Va.

8-11. Nonviolent Crisis Intervention. Presented by the Crisis Prevention Institute, Birmingham, Ala.

9. Countering Terrorism. Presented by the Terrorist Activities Subcommittee, Washington, D.C., Chapter of the American Society for Industrial Security, Arlington, Va. \$80.

10-11. Tracing Illegal Proceeds. Presented by the Investigation Training Institute, Phoenix.

11. Legal Issues for Schools. Presented by the Criminal Justice Institute of the College of Lake County, Grayslake, Ill. \$159.

14. Police Dispatch Course. Presented by the Criminal Justice Institute of the College of Lake County, Grayslake, Ill.

14-15. Managing the Internal Affairs Unit. Presented by the International Association of Chiefs of Police, Maple Grove, Minn.

14-15. Problem-Solving: The Seven A's. Presented by the International Association of Chiefs of Police, St. Louis.

14-16. Fraud Investigation Methods. Presented by the Investigation Training Institute, Denver.

14-16. Advanced Crime Analysis. Presented by the International Association of Chiefs of Police, Toledo, Ohio.

For further information:

Addresses & phone/fax numbers for organizations listed in calendar of events.

Buffalo State College, Attn: Dr. Robert Delprino, Psychology Department, 1300 Elmwood Ave., Buffalo, NY 14222. (716) 878-6669.

CQC Service Group, Kingsbury Lane, Billerica, MA 01862. (617) 667-5591.

Criminal Justice Institute, College of Lake County, 19351 W. Washington St., Grayslake, IL 60030-1198. (847) 223-6601, ext. 2937. Fax: (847) 548-3384. E-mail: nubl@clc.cc.il.us.

Crisis Prevention Institute, 3315-K North 124th St., Brookfield, WI 53005. 1-800-558-8976. Fax: (414) 783-5906. E-mail: info@crisisprevention.com. Web: <www.crisisprevention.com>.

Delinquency Control Institute, P.O. Box 77902, Los Angeles, CA 90099-3334. (213) 743-2497. Fax: (213) 743-2313.

Eastern States Vice Investigators Association Inc., 2 Marjorie Court., Bear, DE 19701. (302) 836-8099. E-mail: ESVA@aol.com.

Hutchinson Law Enforcement Training, LLC, P.O. Box 822, Granby, CT 06035. (860) 653-0788. E-mail: dhutch@snet.net. Web: <http://www.patnotweb.com/hle>.

Institute of Police Technology & Management, University of North Florida, 4567 St.

Johns Bluff Rd. So., Jacksonville, FL 32216. (904) 646-2722.

International Association of Chiefs of Police, P.O. Box 90976, Washington, DC 20090-0976. 1-800-THE IACP. Fax: (703) 836-4543. Web: <www.theiacp.org>.

International Conference of Police Chaplains, c/o Cathy Walker, Registrar, P.O. Box 5590, Destin, FL 32540. (850) 654-9736. Fax: (850) 654-9742. E-mail: icpc@compuserve.com. Web: <www.ICPCATS99@aol.com>.

Investigation Training Institute, P.O. Box 770579, Orlando, FL 32877-0579. (407) 816-7273. Fax: (407) 816-7232. Web: <www.investigationtraining.com>.

National Center for Prosecution of Child Abuse, American Prosecutors Research Institute, 99 Canal Center Plaza, Suite 510, Alexandria, VA 22314. (703) 739-0321. Fax: (703) 836-3195.

National Criminal Justice Association, 444 N. Capitol St., NW, #618, Washington, DC 20001. Fax: (202) 508-3859. Web: <www.sso.org/ncja>.

National Institute of Justice, National Law Enforcement & Corrections Technology Center, Attn: Michelle Healy, (301) 641-

6908, or Russ Hauck, (407) 381-8255. Web: <http://www.nlectc.org>.

National White Collar Crime Center, 11 Commerce Dr., Suite 200, Morgantown, WV 26505. 1-800-221-4424, ext. 45. Fax: (304) 291-2282. Web: <www.summit.nw3c.org>.

New England Institute of Law Enforcement Management, P.O. Box 57350, Babson Park, MA 02157-0350. (617) 237-4724. Web: <http://www.niac.net/users/gburke/neilem.html>.

Police Futurists International, c/o Comdr. Dave Pettinari, Pueblo County Sheriff's Office, Pueblo, Colo. (719) 583-6410. E-mail: pettinari@pueblo.org. Web: <www.policefuturists.org>.

Ramsey County Sheriff's Department, Attn: IAOC, 14 W. Kellogg Blvd., St. Paul, MN 55102. 1-800-441-9387. E-mail: IAOC@co.ramsey.mn.us.

Southwestern Law Enforcement Institute, P.O. Box 830707, Richardson, TX 75083-0707. (972) 664-3471. Fax: (972) 699-7172. Web: <http://web2.airmail.net/slf/sle1.html>.

Terrorist Activities Subcommittee, Washington, D.C., Chapter, American Society for Industrial Security, P.O. Box 5066, Herndon, VA 20172. (703) 237-2513. E-mail: MNudell@aol.com.

'Check, please' takes on a whole new meaning in Las Vegas hotels

Continued from Page 1

privacy concerns — can anyone just come to the Police Department and have them run that kind of background check? It raises a question about the equality of police services here and what is special about this particular client that they would focus on their needs and not others."

Merriwether said that the program is not extended to other businesses in the area because motels are typically where those with outstanding warrants have been found. Customers at other businesses are "in and out," he said, and

not long-term residents.

It is not clear whether the department is running patrons' identification through the NCIC system, as the ACLU alleges. It does, however, search a local data base for outstanding warrants in Nevada, said Merriwether. Bell, the county prosecutor, has denied that the department is conducting national searches, maintaining that officers do not have that capability from their cars. But Peck believes that the photocopied materials are being taken back to the substation, where he said that NCIC searches are possible.

"It's not that I don't believe the leadership at Metro," said Peck. "But what I see is that this policy seems to be out of control."

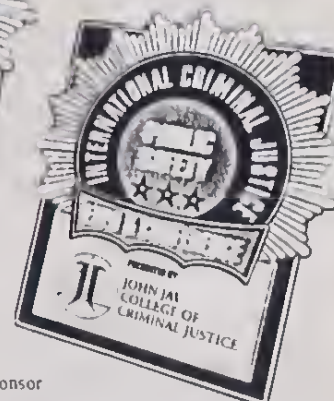
The ACLU has also charged that police are looking up criminal histories and conducting field interviews, even if there is no outstanding warrant — an assertion that was flatly denied by the District Attorney.

"It's not against the law to have a criminal history," said Bell. "A warrant is an order by a court that law enforcement must arrest, detain and bring that person to court."

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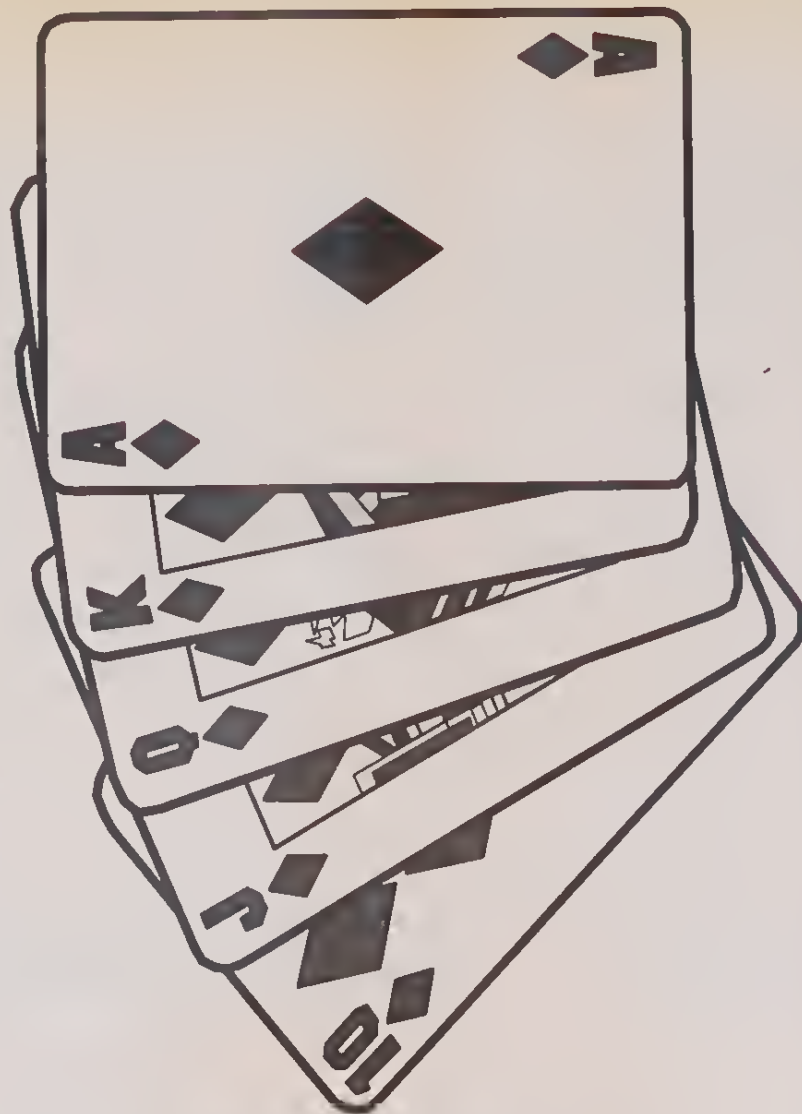
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March 31, 1999



Feeling lucky?

For long-term hotel guests in Las Vegas, it'll take more than luck to beat the house. Once you check in, the police will be checking you out. See Page 1.

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What They Are Saying:

"If you as a motorist are not already upset that a police officer has pulled you over for a motor-vehicle violation, I guarantee you that by the time I'm finished asking what your race is and whether English is your primary language, you are definitely going to be upset."

— Cromwell, Conn., Police Chief Anthony Salvatare, in a proposed response to allegations of racial profiling. (Stary, Page 1.)